

$\pm 1.0$ 

TECH CENTER 1600/2900

In re Application of:

Yong-Qian Wu et al.

Serial No.: 09/835,523

Filed: April 17, 2001

For: **AZA COMPOUNDS,  
PHARMACEUTICAL  
COMPOSITIONS AND  
METHODS OF USE**

Group Art Unit: 1624

Examiner: Tamthom Ngo Truong

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in response to the Office action dated July 1, 2001. Since this response is filed within the one month shortened statutory period, no extension of time is necessary.

## Restriction

Applicants' counsel takes this opportunity to thank the Examiner for granting an interview on July 24, 2002. In the interview, the Examiner agreed to replace the restriction requirement in the Office action with the following:

restriction of the claims to one of the following groups is required under 35 U.S.C.

§ 121:

- I. Claims 1-43 wherein n is 1.
- II. Claims 1-43 wherein n is 2.

III. Claims 1-43 wherein n is 3.

**Provisional Election**

Applicants provisionally elect Group I with traverse.

**Traversal**

The restriction requirement is traversed because a search and examination of all the claims in their entirety would not impose a serious burden upon the Examiner. "If the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to independent or distinct inventions." MPEP § 803. All the claims relate to either compounds, compositions, methods of using or methods of making N-substituted cyclic aza compounds. Since a thorough search of any one of the inventive groups would require searching the art areas appropriate to the other groups, a search of all the groups would not be unduly burdensome.

In view of the foregoing, applicants respectfully request the Examiner to reconsider and withdraw the restriction requirement, and examine all of the claims in their entirety.

U.S. Patent Application No. No. 09/835,523  
Yong-Qian Wu et al.

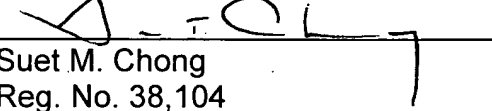
Patent  
Attorney Docket No. 269/298

Please charge any fees required by the filing of these papers to Lyon & Lyon's  
Deposit Account No. **12-2475**.

Respectfully submitted,

LYON & LYON LLP

Dated: July 30, 2002

By:   
Suet M. Chong  
Reg. No. 38,104

633 West Fifth Street, Suite 4700  
Los Angeles, California 90071-2066  
(213) 489-1600